

MONTHLY REPORT

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CERTIFICATE OF NEED SECTION

DIVISION OF HEALTH SERVICE REGULATION

2704 MAIL CENTER SERVICE

RALEIGH, NORTH CAROLINA 27699-2704

CERTIFICATE OF NEED SECTION (919) 855-3873

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CERTIFICATE OF NEED UPDATE
WHAT'S NEW?

1. The Division of Health Service Regulation notified the Office of Administrative Hearings of its intention to amend the following rules in 10A NCAC 14C:

.1903	Radiation Therapy Equipment
.2101-.2103, .2106	Surgical Services and Operating Rooms
.2701-.2703	Magnetic Resonance Scanner
.3702	Positron Emission Tomography Scanner
.4002-.4003	Hospice Inpatient Facilities and Hospice Residential Care Facilities.

In addition, DSHR propose to adopt a new hospice inpatient facility and hospice residential care facility rule, 10A NCAC 14C .4006. The public hearing for all of these rules is scheduled for November 26, 2007 at 1:30 p.m. in Room 201, Council Bldg., 701 Barbour Dr., Raleigh, on the Dorothea Dix Hospital campus. Additionally, written comments on these rules will be accepted beginning November 14, 2007 and ending no later than December 10 2007. All written comments should be filed with Ms. Nadine Pfeiffer and a courtesy copy sent to the CON Section.

2. Effective October 1, 2007, the General Assembly increased the fees for certificate of need applications. Applications submitted for reviews beginning after October 1, 2007 will pay a minimum fee of \$5,000 for a capital expenditure of \$0 to \$1,000,000. The fee for capital expenditures over \$1,000,000 increases at the rate of \$.003 per additional \$1 of capital expenditure up to a maximum fee of \$50,000.
3. The Division of Health Services Regulation notified the Office of Administrative Hearings of its intention to amend certificate of need rules regarding Criteria and Standards for Computed Tomography Services, 10NCAC 14C Section .2300. The public hearing is scheduled for December 5, 2007 at 10:00 a.m. in Room 113, Council Building, 701 Barbour Drive, Raleigh, NC 27603, on the Dorothea Dix Hospital campus. Additionally, written comments on this rule will be accepted beginning October 15, 2007 but no later than-December 14, 2007. All written comments should be filed with Ms. Nadine Pfeiffer and a courtesy copy sent to the CON Section.
4. The Division of Facility Services has a new name. It is now called Division of Health Service Regulation.
5. There is a new Abridged Certificate of Need Application for Replacement or Renovation of Adult Care Homes with No Change in Bed Capacity which became effective October 1, 2007. It should be used for renovations or replacements of existing adult care homes in the same county that do not involve a change in bed capacity. Every effort will be made to complete the review of these applications in less than 90 days. Please contact Craig Smith at (919)-855-3875 or Craig.Smith@ncmail.net if you have any questions regarding the use of this abbreviated application form.
6. There is a new Abridged Certificate of Need Application for Replacement or Renovation of Nursing Facilities with No Change in Bed Capacity which became effective April 12, 2007. It should be used for renovations or replacements of existing nursing facilities in the same county that do not involve a change in bed capacity. Every effort will be made to complete the review of these applications in less than 90 days. Please contact Craig Smith at (919)-855-3875 or Craig.Smith@ncmail.net if you have any questions regarding the use of this abbreviated application form.
7. On August 7, 2006, the Director of the Division of Health Service Regulation issued a "*Final Agency Decision for Contested Case of Mission Hospitals, Inc. and North Carolina Radiation Therapy Management Services, Inc., d/b/a 21st Century Oncology v. North Carolina Department of Health and Human Services, Division of Facility Services, Certificate of Need Section and Asheville Hematology and Oncology Associates, P.A., 05-DHR-1369.*" Since August 7, 2006 the CON Section applies the determinations regarding the CON law that were made in this final agency decision to all requests for "no review" determinations and replacement equipment exemptions. A copy of the final agency decision may be obtained from the Director's Office.
8. The Certificate of Need Section maintains a mailing list of persons who want to receive notice of proposed CON rule changes. If you would like to be included on the mailing list for notice of proposed rules, please call or e-mail Mary Helen Brincefield at 919-855-3873 or maryhelen.brincefield@ncmail.net.
9. Adult Care Home and Nursing Facility reimbursement rates for 2008 CON applications will be posted on the CON Section web site when they are available. The CON Section web address is:
<http://www.ncdhhs.gov/dhsr/coneed/index.html>

